

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/001001

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. ⁷: B65D 83/62, 83/66, 83/14, 81/32, 77/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
DWPI B65D 83/-, B65D 81/32, B65D 25/08, B65D 30/22, B65D 77/06 & keywords SPRAY, MIST, ATOMIS, DROPLET, APPLICAT, MIX, ADMIX, DISPERS, ADD, SHAKE, BAG, SAC, POUCH, BLADDER, RELEAS, RUPTUR, BREAK, PIERC, EXPULS, TRIGGER, ACTIVAT, AEROSOL, PROPELLANT & others:

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4635822 A (KLAWITTER) 13 January 1987 see abstract	1-8
X	US 5439137 A (GROLLIER ET AL) 8 August 1995 see abstract	1, 3-4
X	US 3625400 A (FRIEDRICH) 7 December 1971 see abstract	1, 3-4
X	EP 0131204 B1 (F. P. D. Future Patents Development Company SA) 25 March 1987 see abstract	1, 3-4

☒ Further documents are listed in the continuation of Box C

☒ See patent family annex

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier application or patent but published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
17 November 2004

Date of mailing of the international search report

23 NOV 2004

Name and mailing address of the ISA/AU
AUSTRALIAN PATENT OFFICE
PO BOX 200, WODEN ACT 2606, AUSTRALIA
E-mail address: pct@ipaustalia.gov.au
Facsimile No. (02) 6285 3929

Authorized officer

M.S. HAYNES

Telephone No: (02) 6283 2170

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/001001

C (Continuation).

DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 3635261 A (MORANE ET AL) 18 January 1972 see abstract & figures 12-13	

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/001001

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

See attached sheet.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:1-8

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/001001

Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

Continuation of Box No: II

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1-8 are directed to a spray applicator comprising an applicator having a first containing portion for containing a first constituent of the mixture, and at least one second containing portion for releasably containing a further constituent of the mixture, wherein at least the further constituent may mix with the first constituent to form a mixture.

It is considered that this spray applicator for containing, mixing and releasing comprises a first "special technical feature".

2. Claim 9 is directed to a spray applicator which comprises a container for containing at least one fluid to be sprayed which includes an internal agitation means and a drive means separate from but engageable with the agitation means. It is considered that this spray applicator with the internal agitation means comprises a second "special technical feature".

3. Claim 10 is directed to a spray applicator which comprises a container, activation means, a container closure engageable with the container which includes a fluid opening, at least one reservoir for containing a further constituent in fluid communication with the fluid opening and a mixing valve to control the flow of the further constituent from the at least one reservoir. It is considered that the container, activation means & container closure comprises a third "special technical feature".

Since the abovementioned groups of claims do not share either of the technical features identified, a "technical relationship" between the inventions, as defined in PCT rule 13.2 does not exist. Accordingly the international application does not relate to one invention or to a single inventive concept.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/AU2004/001001

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
US	4635822	CA	1245604	DE	3405065	EP	0152761
US	5439137	CA	2110584	EP	0589029	FR	2689866
		WO	9321085				
US	3625400	BE	737124	CH	495894	DE	1786036
		ES	370341	FR	2015337	NL	6912149
EP	0131204	DE	3323452	DE	3405064	EP	0200164
		US	4666062				
US	3635261	BE	736868	CH	503618	DE	1938551
		FR	1583300	GB	1266768	US	3799398
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.							
END OF ANNEX							